

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 1:18-cv-10819

DONNA GAVIN,
Plaintiff,

v.

BOSTON POLICE DEPARTMENT
and MARK HAYES
Defendants.

**MOTION *IN LIMINE* TO EXCLUDE, OR LIMIT,
THE TESTIMONY OF KIMBERLY HASSELL**

Now comes the Defendant Boston Police Department who hereby moves *in limine* to exclude or limit the testimony of Dr. Kimberly Hassell: (i) Dr. Hassell is not qualified to testify on the topics on which she intends to testify; (ii) Dr. Hassell is not providing expert testimony but is being used for the purpose of bringing in inadmissible hearsay; (iii) Plaintiff and Dr. Hassell failed to provide the documents required under Fed. R. Civ. P. 26 claiming that her research is “confidential;” (iv) the expert witness’s anticipated testimony is not based on sufficient facts or data, nor are the opinions the product of reliable principles; (v) Dr. Hassell’s supplemental disclosure was untimely; and (vi) Dr. Hassell’s testimony is for an improper purpose and unfairly prejudices the Defendants.

In support of the motion, the Boston Police Department submits this motion and accompanying memorandum of law with exhibits.

For the reasons set forth herein and in the accompanying memorandum of law, Defendants respectfully requests that the Court exclude or limit the testimony and

opinion of Dr. Kimberly Hassell.

Dated: September 15, 2021

Respectfully submitted:

CITY OF BOSTON

By its attorneys:

HENRY C. LUTHIN
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/s/ Nieve Anjomi
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LOCAL RULE 7.1 CERTIFICATION

I hereby certify that I spoke with Plaintiff's Counsel on September 14, 2021 by telephone pursuant to Local Rule 7.1 in an effort to narrow the issue raised here.

Dated: September 15, 2021

/s/ Nieve Anjomi
Nieve Anjomi

CERTIFICATE OF SERVICE

I, Nieve Anjomi, hereby certify that a true copy of the above document will be served upon all parties of record via this court's electronic filing system and upon any non-registered participants via first class mail on the date listed below.

Dated: September 15, 2021

/s/ Nieve Anjomi
Nieve Anjomi